

**Introduced by Senator Vasconcellos**February 19, 2004

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An act to amend Section 115921 of the Health and Safety Code, relating to swimming pools.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1493, as introduced, Vasconcellos. Swimming pools: natural aquatic area.

Existing law, the Swimming Pool Safety Act, defines “swimming pool” or “pool” for the purposes of provisions regulating health and safety aspects of swimming pools, including, but not limited to, public swimming pools.

This bill would exempt from these provisions a natural aquatic area or a naturally occurring body of water.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 115921 of the Health and Safety Code  
2 is amended to read:  
3 115921. As used in this article the following terms have the  
4 following meanings:  
5 (a) “Swimming pool” or “pool” means any structure intended  
6 for swimming or recreational bathing that contains water over 18  
7 inches deep. “Swimming pool” includes in-ground and  
8 above-ground structures and includes, but is not limited to, hot  
9 tubs, spas, portable spas, and nonportable wading pools.



1 “Swimming pool” or “pool” does not mean a natural aquatic area  
2 or a naturally occurring body of water.

3 (b) “Public swimming pool” means a swimming pool operated  
4 for the use of the general public with or without charge, or for the  
5 use of the members and guests of a private club. Public swimming  
6 pool does not include a swimming pool located on the grounds of  
7 a private single-family home.

8 (c) “Enclosure” means a fence, wall, or other barrier that  
9 isolates a swimming pool from access to the home.

10 (d) “Approved safety pool cover” means a manually or  
11 power-operated safety pool cover that meets all of the performance  
12 standards of the American Society for Testing and Materials  
13 (ASTM), in compliance with standard F1346-91.

14 (e) “Exit alarms” means devices that make audible,  
15 continuous alarm sounds when any door or window, that permits  
16 access from the residence to the pool area that is without any  
17 intervening enclosure, is opened or is left ajar. Exit alarms may be  
18 battery operated or may be connected to the electrical wiring of the  
19 building.

